

SENATOR HEFNER: What do you use as a definition of the word immediately? Is that 10 hours, 12 hours, 24 hours, 48 hours? When you use it you say a member of the Legislature from voting unless the vote results in the immediate financial gain to the member?

SENATOR V. JOHNSON: Yes, the word immediate means right now. It doesn't mean tomorrow or the day after, it means right now and it means that the gain itself, or the...it's not a remote event, the financial benefit is not uncertain, it's not contingent, it's not speculative or it's not a modest amount. Again, that reflects basic case law construction. It also means that the gain is personal and private. It's personal to the senator and private to the senator as opposed to other people. Again, that reflects case law.

SENATOR HEFNER: Thank you, Senator Johnson. Here is a problem I can see and maybe we have it already. I'm concerned about the farmers in this group, businessmen, insurance agents and others. Okay, here is an example. What happens when we increase the sales tax? We vote whether we want to increase the sales tax or decrease it or gasoline taxes. Merchants that collect these taxes receive a collection fee. It isn't much, it isn't enough, I'll agree to that, but at least it is something of monetary value. So I would wonder if that would preclude them from voting on that. I realize it isn't immediate. It's in the next 30 days and so at this time I'm a little hesitant to vote for Senator Johnson's amendment.

SPEAKER NICHOL: Senator Chambers, then Senator Carsten.

SENATOR CHAMBERS: Mr. Chairman...(trouble with microphone.)

SPEAKER NICHOL: Well, you just finished your talk.

SENATOR CHAMBERS: No, it shows there are a lot of superfluous items in the Legislature, not the least of which is the head on this microphone. Mr. Chairman and members of the Legislature, this amendment that Senator Johnson is offering opens an entire area about which people can differ. I don't know whether there should be anything in the law or outside the law that would charge a member of a state Legislature with a conflict of interest when it comes to voting. If it comes to contracting with the state,